

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FIVE STAR BANK,

Plaintiff,

KATHERINE MOTT; ROBERT HARRIS; KRM
EVENTS, LLC; KATHERINE'S ON MONROE, LLC;
THE DIVINITY ESTATE AND CHAPEL, LLC; KNC
ELEGANCE, LLC D/B/A THE WINTERGARDEN BY
MONROES; 11 WEXFORD GLEN, LLC; RCC
MONROES LLC; NAF REMODELING LLC;
MONROES AT RIDGEMONT LLC CRESCENT
BEACH AT THE LAKE LLC; MOTT MANAGEMENT
LLC; KRISTINA BOURNE; TAYLOR PAGANO;
TIMOTHY LAROCCA,

Defendants.

CASE NO. 6:24-CV-06153-FPG

**NOTICE OF MOTION FOR
APPROVAL OF FIRST
APPLICATION OF HARTER
SECREST & EMERY LLP,
COUNSEL TO THE RECEIVER,
FOR ALLOWANCE OF
COMPENSATION AND
REIMBURSEMENT OF
EXPENSES**

PLEASE TAKE NOTICE that, pursuant to this Court's Order (ECF Dkt. No. 57) appointing Harter Secrest & Emery LLP ("HSE") as counsel to the Court-appointed Receiver, Mark R. Kercher (the "Receiver"), HSE hereby moves this Court for an Order approving its First Application for Allowance of Compensation and Reimbursement of Expenses, covering the period from May 7, 2024 to May 31, 2024.

In light of the circumstances set forth in the accompanying application, HSE respectfully requests that the Court's consideration and determination of this request be performed as expeditiously as possible and without the need for formal motion practice. But should motion practice or an appearance or argument be required, HSE will make itself available at the Court's convenience at a return date set by the Court.

In support of this motion, HSE submits the declaration of John G. Horn, Esq., partner of record for HSE in this case, annexed hereto.

Dated: July 2, 2024

Respectfully submitted,

HARTER SECRET & EMERY LLP

By:



John G. Horn, Esq.
50 Fountain Plaza, Suite 1000
Buffalo, New York 14202-2293
(716) 853-1616
jhorn@hselaw.com